

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN SHIELL ANDERSON**, on February 10, 1999
at 3:30 P.M., in Room 420 Capitol.

ROLL CALL

Members Present:

Rep. Shiell Anderson, Chairman (R)
Rep. Gary Beck, Vice Chairman (D)
Rep. Rick Jore, Vice Chairman (R)
Rep. Darrel Adams (R)
Rep. Joe Barnett (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Matt Brainard (R)
Rep. Paul Clark (D)
Rep. Robert C. Clark (R)
Rep. Steven Gallus (D)
Rep. George Golie (D)
Rep. Marian Hanson (R)
Rep. Donald L. Hedges (R)
Rep. Carol C. Juneau (D)
Rep. Gary Matthews (D)
Rep. Frank Smith (D)
Rep. Roger Somerville (R)
Rep. Cliff Trexler (R)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Mary Lou Schmitz, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: **HB 450; HB 439; HB 436; HB 467**
2/8/99

Executive Action: SB 133; HB 329; HB 467; HB
450; HB 436; HB 439.

Rep. Gary Beck chaired the meeting at this point.

HEARING ON HB 450

Sponsor: Rep. Bob Raney, HD 26.

{Tape : 1; Side : A; Approx. Time Counter : 0.4 - 2.5}

Proponents: None

Opponents: Brian Cavey, Montana Motor Carriers Association.

{Tape : 1; Side : A; Approx. Time Counter : 2.5 - 7.6}

Jesse Oldham, Independent Truck Driver, Great Falls.

{Tape : 1; Side : A; Approx. Time Counter : 7.6 - 10.2}

Stan Kaleczyc, Attorney, Watkins-Shepard Trucking.

{Tape : 1; Side : A; Approx. Time Counter : 10.2 - 13.8}

Keith Olson, Kalispell, Executive Director, Montana Logging
Association.

{Tape : 1; Side : A; Approx. Time Counter : 13.8 - 14.8}

Questions from Committee Members and Responses: Rep. Smith to
Rep. Raney.

{Tape : 1; Side : A; Approx. Time Counter : 14.8 - 15.8}

Rep. Brainard to Rep. Raney.

{Tape : 1; Side : A; Approx. Time Counter : 15.8 - 18.2}

Rep. Gallus to Col. Reap.

{Tape : 1; Side : A; Approx. Time Counter : 18.2 - 20.4}

Closing by Sponsor: Rep. Raney closed the Hearing on HB 450.

{Tape : 1; Side : A; Approx. Time Counter : 20.4 - 24.3}

HEARING ON HB 436

Sponsor: Rep. Dan Harrington, HD 38, **EXHIBIT**(trh33a01)

{Tape : 1; Side : A; Approx. Time Counter : 24.3 - 28.9}

Proponents: Pat Saindon, Administrator, Planning Division,
Department of Transportation.

{Tape : 1; Side : A; Approx. Time Counter : 28.9 - 31.4}

Opponents: None

Questions from Committee Members and Responses: Rep. Bookout-Reinicke to Pat Saindon.

{Tape : 1; Side : A; Approx. Time Counter : 31.4 - 32.6}

Rep. Juneau to Pat Saindon.

{Tape : 1; Side : A; Approx. Time Counter : 32.6 - 33.3}

Rep. Bob Clark to Pat Saindon.

{Tape : 1; Side : A; Approx. Time Counter : 33.3 - 35.7}

Rep. Golie to Pat Saindon.

{Tape : 1; Side : A; Approx. Time Counter : 35.7 - 37.5}

Rep. Bookout-Reinicke to Pat Saindon.

{Tape : 1; Side : A; Approx. Time Counter : 37.5 - 38.7}

Closing by Sponsor: Rep. Harrington closed the Hearing on HB 436.

{Tape : 1; Side : A; Approx. Time Counter : 38.7 - 39.3}

HEARING ON HB 439

Sponsor: Rep. Matt Brainard, HD 62.

{Tape : 1; Side : A; Approx. Time Counter : 39.3 - 43.4}

Proponents: EXHIBIT(trh33a02) EXHIBIT(trh33a03)
EXHIBIT(trh33a04) EXHIBIT(trh33a05) EXHIBIT(trh33a06)
EXHIBIT(trh33a07).

Opponents: Amy Sullivan, Executive Director, Montana Tourism Coalition. EXHIBIT(trh33a08) EXHIBIT(trh33a09) EXHIBIT(trh33a10)

{Tape : 1; Side : A; Approx. Time Counter : 43.4 - 44.8}

{Tape : 1; Side : B; Approx. Time Counter : 0.1 - 1.9}

Stuart Doggett, Montana Innkeepers.

{Tape : 1; Side : B; Approx. Time Counter : 1.9 - 3.4}

Matthew Cohn, Administrator, Travel Montana, Department of Commerce.

{Tape : 1; Side : B; Approx. Time Counter : 3.4 - 5.6}

Informational Testimony: George Knapp, Travelers' Rest Chapter, Lewis and Clark Trail Heritage Foundation.

{Tape : 1; Side : B; Approx. Time Counter : 5.6 - 6.7}

John Blacker, Administrator, Maintenance Division, Department of Transportation. **EXHIBIT**(trh33a11)

{Tape : 1; Side : B; Approx. Time Counter : 6.7 - 9.5}

Questions from Committee Members and Responses: None

Closing by Sponsor: Rep. Brainard closed the Hearing on HB 439.

{Tape : 1; Side : B; Approx. Time Counter : 9.5 - 12.6}

HEARING ON HB 467

Sponsor: Rep. Chase Hibbard, HD 54.

{Tape : 1; Side : B; Approx. Time Counter : 12.6 - 16.5}

Proponents: Arnie Olsen, Chief of Operations, Department of Fish, Wildlife & Parks. **EXHIBIT**(trh33a12)

{Tape : 1; Side : B; Approx. Time Counter : 16.5 - 18.8}

Doug Abelin, Montana Trail Vehicle Riders' Association.

{Tape : 1; Side : B; Approx. Time Counter : 18.8 - 21.3}

Linda Stoll, Montana Wilderness Association.

{Tape : 1; Side : B; Approx. Time Counter : 21.3 - 23.9}

Ken Hoovestol, Montana Snowmobile Association.

{Tape : 1; Side : B; Approx. Time Counter : 23.9 - 24.3}

Opponents: None

Informational Testimony: Maggie Pittman, Legislative Affairs Coordinator for Montana, U.S. Forest Service. **EXHIBIT**(trh33a13)

{Tape : 1; Side : B; Approx. Time Counter : 24.3 - 25.5}

Questions from Committee Members and Responses: Rep. Hanson to Rep. Hibbard, Maggie Pittman.

{Tape : 1; Side : B; Approx. Time Counter : 25.5 - 27.3}

Closing by Sponsor: Rep. Hibbard closed the Hearing on HB 467.

{Tape : 1; Side : B; Approx. Time Counter : 27.3 - 28.2}

Rep. Anderson conducted the meeting at this point.

EXECUTIVE ACTION ON SB 133

Motion: REP. GOLIE moved that SB 133 BE CONCURRED IN.

{Tape : 1; Side : B; Approx. Time Counter : 28.2 - 30}

Motion: REP. GOLIE moved that SB 133 BE AMENDED with the Harper Amendment. (01)

{Tape : 1; Side : B; Approx. Time Counter : 30 - 31}

Discussion: Reps. Matthews, Golie, Leanne Kurtz, Juneau, Hanson, Matthews, Adams, Bob Clark, Gallus, Barnett, Brainard, Beck, Hedges, Smith, Anderson.

{Tape : 1; Side : B; Approx. Time Counter : 31 - 41.1}

{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 5.4}

Vote: The Golie amendment carried 12 - 6 with Reps. Anderson, Jore, Beck, Adams, Hanson and Matthews voting no.

{Tape : 2; Side : A; Approx. Time Counter : 5.4 - 6.3}

Motion: REP. BOB CLARK moved that SB 133 BE AMENDED. (02)

{Tape : 2; Side : A; Approx. Time Counter : 6.3 - 8.5}

Discussion: Leanne Kurtz, Reps. Bob Clark, Beck, Col. Craig Reap.

{Tape : 2; Side : A; Approx. Time Counter : 8.5 - 16.8}

Vote: Motion on the Robert Clark amendment carried 17 - 1 with Rep. Jore voting no.

{Tape : 2; Side : A; Approx. Time Counter : 16.8 - 17}

Discussion: Rep. Trexler.

{Tape : 2; Side : A; Approx. Time Counter : 17 - 18}

Motion: REP. BOB CLARK moved that SB 133 BE CONCURRED IN AS AMENDED.

{Tape : 2; Side : A; Approx. Time Counter : 18 - 18.2}

Motion: REP. TREXLER moved that SB 133 BE AMENDED.

{Tape : 2; Side : A; Approx. Time Counter : 18.2 - 18.3}

Discussion: Reps. Bookout-Reinicke, Brainard, Somerville, Trexler, Anderson, Bob Clark to Senator Mohl, without objection, Gallus to Dave Galt, without objection, Hanson, Jore.

{Tape : 2; Side : A; Approx. Time Counter : 18.3 - 30.5}

Vote: Motion on Trexler amendment failed 4 - 13.

{Tape : 2; Side : A; Approx. Time Counter : 30.5 - 32}

Motion: REP. GOLIE moved that SB 133 BE AMENDED.

{Tape : 2; Side : A; Approx. Time Counter : 32 - 32.5}

Discussion: Leanne Kurtz, Reps. Somerville, Anderson, Robert Clark, Adams, Gallus, Hanson, Hedges, Barnett, Beck, Jore, Trexler.

{Tape : 2; Side : A; Approx. Time Counter : 32.5 - 41.4}

Vote: Motion on the Golie amendment failed 3 - 14.

{Tape : 2; Side : A; Approx. Time Counter : 41.4 - 41.8}

Discussion: Reps. Golie, Anderson to Col. Reap.

{Tape : 2; Side : B; Approx. Time Counter : 0.1 - 2.4}

Motion: REP. ANDERSON moved that SB 133 BE AMENDED.

{Tape : 2; Side : B; Approx. Time Counter : 2.4 - 3.9}

Discussion: Reps. Anderson, Hanson, Brainard, Beck, Somerville.

{Tape : 2; Side : B; Approx. Time Counter : 3.9 - 6.6}

Vote: Anderson amendment carried 15 - 2 with Reps. Robert Clark and Trexler voting no.

{Tape : 2; Side : B; Approx. Time Counter : 6.6 - 6.8}

Motion/Vote: REP. HANSON moved that SB 133 BE CONCURRED IN AS AMENDED. Motion carried 11-7 with Reps. Jore, Adams, Barnett, Brainard, Hanson, Matthews and Trexler voting no.

{Tape : 2; Side : B; Approx. Time Counter : 6.8 - 7.1}

EXECUTIVE ACTION ON HB 329

Motion: REP. BOB CLARK moved that HB 329 DO PASS.

{Tape : 2; Side : B; Approx. Time Counter : 7.1 - 10.4}

Discussion: Rep. Juneau to Leanne Kurtz, Reps. Somerville, Adams, Jore, Barnett, Trexler, Beck, Brainard, Anderson, Hanson, Robert Clark.

{Tape : 2; Side : B; Approx. Time Counter : 10.4 - 22.3}

Vote: The DO PASS motion failed 8 - 10 with Reps. Anderson, Jore, Adams, Barnett, Brainard, Gallus, Golie, Hedges, Matthews and Trexler voting no.

{Tape : 2; Side : B; Approx. Time Counter : 22.3 - 23.5}

EXECUTIVE ACTION ON HB 467

Motion: REP. BOOKOUT-REINICKE moved that HB 467 DO PASS.

{Tape : 2; Side : B; Approx. Time Counter : 23.5 - 25.1}

Discussion: Reps. Brainard, Hanson, Adams, Robert Clark, Somerville, Gallus.

{Tape : 2; Side : B; Approx. Time Counter : 25.1 - 29}

Vote: Motion carried 17 - 1 with Rep. Frank Smith voting no.

{Tape : 2; Side : B; Approx. Time Counter : 29 - 30.1}

EXECUTIVE ACTION ON HB 450

Motion: REP. SOMERVILLE moved that HB 450 DO PASS.

{Tape : 2; Side : B; Approx. Time Counter : 30.1 - 31}

Discussion: Reps. Hanson, Adams.

{Tape : 2; Side : B; Approx. Time Counter : 31 - 31.7}

Motion/Vote: REP. MATTHEWS moved that HB 450 BE TABLED. Motion carried 14 - 3 with Reps. Gallus, Golie and Somerville voting no.

{Tape : 2; Side : B; Approx. Time Counter : 31.7 - 31.8}

EXECUTIVE ACTION ON HB 436

Motion: REP. HANSON moved that HB 436 DO PASS.

{Tape : 2; Side : B; Approx. Time Counter : 31.8 - 32.6}

Discussion: Reps. Somerville, Bookout-Reinicke, Golie, Brainard.

{Tape : 2; Side : B; Approx. Time Counter : 32.6 - 34.7}

Motion/Vote: REP. BRAINARD moved that HB 436 BE TABLED. Motion carried 11 - 6 with Reps. Beck, Gallus, Hanson, Juneau, Smith and Somerville voting no.

{Tape : 2; Side : B; Approx. Time Counter : 34.7 - 35.3}

EXECUTIVE ACTION ON HB 439

Motion: REP. BRAINARD moved that HB 439 DO PASS.

{Tape : 2; Side : B; Approx. Time Counter : 35.3 - 36}

Discussion: Reps. Brainard, Hanson, Anderson, Gallus, Beck, Somerville

{Tape : 2; Side : B; Approx. Time Counter : 36 - 38.4}

{Tape : 3; Side : A; Approx. Time Counter : 0.1 - 1.8}

Motion/Vote: REP. HANSON moved that HB 439 BE TABLED. Motion carried 17 - 1 with Rep. Gallus voting no.

{Tape : 3; Side : A; Approx. Time Counter : 1.8 - 2}

ADJOURNMENT

Adjournment: 6:20 P.M.

REP. SHIELL ANDERSON, Chairman

MARY LOU SCHMITZ, Secretary

SA/MS

EXHIBIT(trh33aad)